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R. Alan Burnett BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025			EXAMINER RUBIN, BLAKE J	
			ART UNIT 4152	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/811,755

**Applicant(s)**

KHANNA ET AL.

**Examiner**

BLAKE RUBIN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-30 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on March 29, 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
4) ☐ Interview Summary (PTO-413)  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_  
Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to communications filed March 29, 2004.
2. Claims 1- 30 are pending in this application.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4):
  - a. Reference characters "122" and "120" have both been used to designate the "network" (paragraph [0005], line 1; paragraph [0006], line 1; Figure 1). The "remote console" of Figure 1 is also referred to as "120" (paragraph [0006], line1), while it is shown as "122" in Figure 1.
  - b. Figure 3's reference character "320" has been used to designate both "Establish BIOS Server Management Handler" and "Continue OS Boot".
  - c. Reference characters "102" and "104" are used to describe the "DXE Dispatcher" and "DXE drivers", respectively (paragraph [0038], lines 12-13), when they should be labeled "402" and "404".
  - d. Reference character "420" is used in the specification (paragraph [0048], line 7) to describe a "Boot Dispatcher" which is labeled "422" in Figure 4.
  - e. Reference character "420" is used in the specification (paragraph [0049], line 1) to describe "OS Boot Loader" which is labeled "424" in Figure 4.
  - f. Reference character "604" is repeated (paragraph [0055] line 8), the repeated "604" should be "606".

- g. Reference character "226A" (paragraph [0058], line 20) refers to Figure 7, when it appears that the reference is being made to Figure 8. If this is the case, the reference character in Figure 8 should be amended accordingly.
  - h. Reference character(s) not mentioned in the specification: "424" (Figure 4), and "904" (Figure 9).
- 4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

- 5. The specification is objected to because it does not include a brief summary of the invention. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

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As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

#### Content of Specification

- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

6. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code, found in paragraph [0034], line 4. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

7. The disclosure is objected to because of the following informality. Paragraph [0003], lines 4-5 recites a, "base management controller (BMC)," when it should read, "baseboard management controller (BMC)" as it is commonly known in the art, and later referred to in the claims as such. Appropriate correction is required.

### ***Claim Objections***

8. Claim 1 is objected to because of the following informalities: it is the examiners interpretation that lines 6 should read, "aggregating the service capabilities into an aggregated...". Appropriate correction is required.

9. Claim 5 is objected to because of the following informalities: it is the examiners interpretation that line 2 should read, "... an add-in card that is installed in the server." Appropriate correction is required.

10. Claim 24 is objected to because of the following informalities: it is the examiners interpretation that line 9 should read, "...executed by the correspond service processor..." Appropriate correction is required.

11. Claims 25 and 26 recites the limitation "the instructions" in line 4 and 1, respectively. There is insufficient antecedent basis for this limitation in the claims. It appears that "the BIOS instructions" was intended, and will be examined accordingly. Appropriate correction is required.

12. Claim 29 recites the limitation "the BUP table" in line 4. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. **Claims 1, 8-20, 23-24, and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Goss et al. (U.S. Pub. No. 2005/0044207, hereinafter Goss).**

15. With respect to claim 1, Goss discloses a method, comprising: collecting information pertaining to service capabilities (paragraph [0022], lines 4-6) supported by each of a plurality of service processors (paragraph [0015], line 16) used to service

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server management requests (paragraph [0019], lines 4-15) for a server (paragraph [0015], lines 29-33), the services supported by each service processor performed via execution of service code associated with that service processor (paragraph [0035], line 15); aggregating the service capabilities into a aggregated set of service capabilities (paragraph [0022], lines 4-13); and providing a unified presentation of service capabilities corresponding to the aggregated set of service capabilities to a service consumer (paragraph [0028], lines 1-7).

16. With respect to claim 8, Goss discloses the method of claim 1, wherein the unified presentation of service capabilities is presented to the service consumer via a BIOS-based application program interface (API) (paragraph [0015], lines 6-13; paragraph [0021], lines 1-3).

17. With respect to claim 9, Goss discloses the method of claim 8, wherein the service consumer is a programmatic entity (paragraph [0036], lines 13-16) that accesses services via the BIOS-based API (paragraph [0015], lines 6-13, paragraph [0021], lines 1-3).

18. With respect to claim 10, Goss discloses the method of claim 1, wherein the operation of collecting the information pertaining to service capabilities supported by each of a plurality of service processors comprises: loading firmware drivers for each of the service processors (paragraph [0020], lines 1-2); enumerating services provided by



each service processor via the firmware driver for the service processor (paragraph [0017], lines 1-5); and publishing the services that are enumerated to a BIOS unified presentation table (paragraph [0021], lines 1-2; paragraph [0028], lines 1-7).

19. With respect to claim 11, Goss discloses the method of claim 10, wherein the operations are performed by firmware components configured in accordance with the extensible firmware interface (EFI) standard (paragraph [0021], lines 1-2).

20. With respect to claim 12, Goss discloses the method of claim 1, further comprising: enabling an end-user to set preferences for like services offered by more than one service processor (paragraph [0024]); and in response to a service request (paragraph [0022], lines 10-13); performing a corresponding service using a service processor with the highest preference from among the more than one service processor (paragraph [0025]).

21. With respect to claim 13, Goss discloses the method of claim 12, wherein the end-user is enabled to set preferences (paragraph [0022], lines 10-13) via an interface (paragraph [0015], line 13) that is presented to the end-user during a pre-boot phase for the server (paragraph [0017], lines 5-7).

22. With respect to claim 14, Goss discloses the method of claim 12, wherein the end-user is enabled to set preferences (paragraph [0022], lines 10-13) via an interface

(paragraph [0015], line 13) that is presented to the end-user during an operation system runtime phase for the server (paragraph [0028]).

23. With respect to claim 15, Goss discloses an article of manufacture, comprising: a machine-readable medium that provides instructions (paragraph [0035], lines 13-16) that, if executed by a processor in a server (paragraph [0015], lines 15-21), will cause the server to perform operations including, aggregating service capabilities (paragraph [0022], lines 4-13) supported by each of a plurality of service processors (paragraph [0015], line 16) used to service server management requests (paragraph [0019], lines 4-15) for the server via execution of associated service code (paragraph [0035], line 15); and providing a unified presentation of service capabilities corresponding to the aggregated set of service capabilities to a service consumer (paragraph [0028], lines 1-7).

24. With respect to claim 16, Goss discloses the article of manufacture of claim 15, wherein the article comprises a non-volatile storage device (paragraph [0035], line 10).

25. With respect to claim 17, Goss discloses the article of manufacture of claim 15, wherein the instructions comprise a portion of the BIOS (basic input/output system) code for the server (paragraph [0021], lines 1-3).

26. With respect to claim 18, Goss discloses the article of manufacture of claim 15, wherein execution of the instructions further performs operations including: loading firmware drivers for each of the service processors (paragraph [0020], lines 1-4), each firmware driver to enumerate services supported (paragraph [0017], lines 1-7) via execution of service code by the service processor to which the firmware driver corresponds (paragraph [0035], lines 13-16); and publishing the services that are enumerated to a BIOS unified presentation (BUP) table (paragraph [0021], lines 1-3; paragraph [0028], lines 1-7).

27. With respect to claim 19, Goss discloses the article of manufacture of claim 18, wherein execution of the instructions performs the further operation of publishing an application program interface (paragraph [0015], line 13) via which a software entity running on the server during an operating system runtime phase (paragraph 0021, lines 3-5) for the server is enabled to access data in the BUP table (paragraph [0022], lines 16-19).

28. With respect to claim 20, Goss discloses the article of manufacture of claim 15, wherein the instructions comprise firmware instructions corresponding to firmware components configured in accordance with the extensible firmware interface (EFI) standard (paragraph [0021], lines 1-2).

29. With respect to claim 23. The article of manufacture of claim 15, wherein execution of the instructions further performs operations including: enabling an end-user to set preferences for like services offered by more than one service processor (paragraph [0017], lines 16-22); and in response to a service request (paragraph [0022], lines 10-13); performing a corresponding service using a service processor with the highest preference from among the more than one service processors (paragraph [0025]).

30. With respect to claim 24. A server (paragraph [0015], line 16), comprising: a main processor (paragraph [0015], lines 19-21); a non-volatile storage device (paragraph [0035], line 10) in which BIOS instructions are stored (paragraph [0021], lines 1-3), communicatively-coupled to the main processor (paragraph [0017], lines 1-5); at least one service processor (paragraph [0015], lines 29-33), communicatively-coupled to the main processor (paragraph [0017], lines 1-5); and for each of the at least one service processor, a non-volatile storage device (paragraph [0035], line 10) in which firmware is stored (paragraph [0017], lines 1-5), the firmware to be executed by the corresponding service processor to perform server management services (paragraph [0017], lines 1-12), wherein the BIOS instructions, when executed by the main processor, perform operations including: aggregating service capabilities supported by each of the at least one service processor via execution of firmware corresponding to that service processor (paragraph [0022], lines 4-13); and providing a unified presentation of service

capabilities corresponding to the aggregated set of service capabilities to a service consumer (paragraph [0028], lines 1-7).

31. With respect to claim 28, Goss disclose the server of claim 24, wherein execution of the instructions performs further operations including: loading firmware drivers for each of the at least one service processors (paragraph [0020], lines 1-4), each firmware driver to enumerate services provided by the service processor to which it corresponds (paragraph [0017], lines 1-7); and publishing the services that are enumerated to a BIOS unified presentation table (paragraph [0021], lines 1-3; paragraph [0028], lines 1-7).

32. With respect to claim 29, Goss disclose the server of claim 24, wherein execution of the instructions performs further the operation of publishing an application program interface (paragraph [0015], line 13) via which a software entity running on the server (paragraph [0035], line 13-16) during an operating system runtime phase (paragraph [0020], lines 6-7) for the server is enabled to access data in the BUP table (paragraph [0021], lines 1-3; paragraph [0028], lines 1-7).

33. With respect to claim 30, Goss disclose the server of claim 24, wherein execution of the instructions performs further operations including: enabling an end-user to set preferences (paragraph [0017], lines 16-22) for like services offered by more than one service processor (paragraph [0024]); and in response to a service request (paragraph

[0022], lines 10-13); performing a corresponding service using a service processor with the highest preference from among the more than one service processors (paragraph [0025]).

***Claim Rejections - 35 USC § 103***

34. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

35. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

36. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

37. **Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss, as applied to claim 1 above, in view of Spring (U.S. Patent No. 6,549,943).**

38. With respect to claim 2, Goss discloses the method of claim 1, further comprising: collecting the information (paragraph [0022], lines 4-6) pertaining to and aggregating the service capabilities (paragraph [0022], lines 4-13) supported by the plurality of service processors (paragraph [0015], line 16) during a pre-boot phase (paragraph [0017], lines 6) for the server (paragraph [0015], lines 29-33); and providing the unified presentation of service capabilities to an end-user (paragraph [0028], lines 1-7). But does not disclose presenting text or graphically based interfaces.

39. However, Spring discloses presenting to an end-user one of a text-based or graphical user interface (column 22, lines 32-36, Figure 7). It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Spring. The motivation to do so being, to provide the end-user with a visual display of the capabilities.

40. With respect to claim 3, Goss discloses the method of claim 2, wherein the unified presentation of service capabilities are provided to the end-user during the pre-boot phase (paragraph [0017], lines 6).

41. With respect to claim 4, Goss discloses the method of claim 2, wherein the unified presentation of service capabilities (paragraph [0028], lines 1-7) are provided to the end-user during an operating system runtime phase for the server (paragraph [0029]; whereby "prior to the system boot (i.e., being re-booted)" is the operating system runtime phase).

**42. Claims 5, 22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss, as applied to claims 1, 15, and 24 above, in view of Chen et al (U.S. Patent No. 6,591,324, hereinafter Chen).**

43. With respect to claim 5, Goss discloses the method of claim 1, but fails to disclose an add-in card. However, Chen discloses wherein the server (column 4, line 24) includes at least one add-in service processor (column 4, lines 5-9) hosted by an add-in card that installed in the server (column 3, lines 33-35). It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Chen. The motivation to do so being, to allow for the expansion of the server to include add-in cards for expanded functionality.

44. With respect to claim 22, Goss discloses the article of manufacture of claim 15, updating the unified presentation of service capabilities provided to the service consumer (paragraph [0028], lines 1-7) to reflect a removal of services offered (paragraph [0017], lines 16-22). But fails to disclose an add-in card.

45. However, Chen discloses the server (column 1, lines 11-13) supports runtime removal (column 4, lines 5-15) of hot-swap cards (column 3, lines 25-27) that host at least one add-in processor (column 4, lines 5-15), and wherein execution of the instructions, including: detecting that a hot-swap card hosting at least one processor has been removed from the server while the server is running (column 4, lines 5-15).



46. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Chen. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service processor card uninstallations (Chen: column 4, lines 5-15), while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

47. With respect to claim 25, Goss discloses the server of claim 24, further comprising: a management bus (paragraph [0020], lines 1-6), to communicatively-couple an service processor to the main processor (paragraph [0020], lines 1-6), and wherein execution of the BIOS instructions perform further operations (paragraph [0021], lines 1-3), including, updating the unified presentation of service capabilities provided to the service consumer to reflect any additional services supported by the at least one service processor is added (paragraph [0028], lines 1-7). But fails to disclose an add-in card.

48. However, Chen discloses an add-in processor (column 3, lines 28-44) hosted by a hot-swap add-in card to the main processor (column 3, lines 28-44), and collecting information pertaining to service capabilities for at least one add-in service processor hosted by a hot-swap card that is added to the server while the server is running (column 4, lines 5-15).

49. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Chen. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service

processor card installations (Chen: column 4, lines 5-15), while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

50. With respect to claim 26, Goss discloses the server of claim 25, wherein execution of the BIOS instructions performs further operations including: detecting that a service processor has been removed from the server while the server is running (column [0017], lines 16-22); and updating the unified presentation of service capabilities provided to the service consumer to reflect a removal of services offered by the at least one service processor hosted by the card that are not offered by any remaining service processor (paragraph [0028], lines 1-7). But fails to disclose an add-in card.

51. However, Chen discloses detecting that a hot-swap card (column 3, lines 25-28) hosting at least one add-in processor (column 3, lines 37-44) has been removed from the server while the server is running (column 4, lines 5-15).

52. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Chen. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service processor card uninstallations (Chen: column 4, lines 5-15), while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

**53. Claims 6-7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss in view of Chen, and further in view of Chrabaszcz (U.S. Patent No. 6,212,585).**

54. With respect to claim 6, the claim is rejected for the same reasons as claim 5 above. In addition, Goss further discloses collecting additional information pertaining to service capabilities (paragraph [0022], lines 4-6) and updating the unified presentation of service capabilities provided to the service consumer to reflect any additional services supported (paragraph [0028], lines 1-7), and Chen discloses an add-in service processor (column 4, lines 5-9). But the combination of Goss and Chen fail to disclose an add-in service processor and associated service code in the add-in service processor.

55. However, Chrabaszcz discloses associated service code (column 9, lines 15-19) hosted by a hot-swap card that is added to the server (column 5, lines 1-3) while the server is running (column 1, lines 28-34).

56. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss and Chen with the teachings of Chrabaszcz. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service processor card installations (Chrabaszcz: column 1, lines 28-34),

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while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

57. With respect to claim 7, Goss and Chen discloses the method of claim 5. Goss discloses updating the unified presentation of service capabilities provided to the service consumer (paragraph [0028], lines 1-7) to reflect a removal of services offered (paragraph [0017], lines 16-22), and Chen discloses an add-in service processor (column 4, lines 5-9). But the combination of Goss and Chen fail to disclose associated service code.

58. However, Chrabaszcz discloses associated service code (column 9, lines 15-19) has been removed from the server (column 5, lines 1-3) while the server is running (column 1, lines 28-34).

59. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss and Chen with the teachings of Chrabaszcz. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service processor card uninstallation (Chrabaszcz: column 1, lines 28-34), while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

60. With respect to claim 21. Goss discloses the article of manufacture of claim 15, collecting additional information pertaining to service capabilities for at least one service processor (paragraph [0022], lines 4-6) and updating the unified presentation of service capabilities provided to the service consumer to reflect any additional services supported (paragraph [0028], lines 1-7). But fails to disclose an add-in service processor and associated service code.

61. However, Chen discloses the server (column 1, lines 11-13) supports runtime installation (column 3, lines 3-8) of hot swap cards (column 3, lines 24-33) that host at least one add-in processor (column 3, lines 37-44) while the server is running (column 3, lines 3-8).

62. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Chen. The motivation to do so being, to allow for the expansion of the server to include add-in cards for expanded functionality.

63. The combination of Goss and Chen fail to disclose associated service code in the add-in processor. However, Chrabaszcz discloses associated service code (column 9, lines 15-19) hosted by a hot-swap card that is added to the server (column 5, lines 1-3) while the server is running (column 1, lines 28-34).

64. It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss and Chen with the teachings of Chrabaszcz. The motivation to do so being, to provide the uninterrupted service to the server during the add-in service processor card installations (Chrabaszcz: column 1, lines 28-34), while maintaining an up to date inventory of the servers capabilities (Goss: paragraph [0028], lines 1-7).

**65. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goss, with respect to claim 24 above, in view of Hawkins et al (U.S. Publication No.2003/0130969 hereinafter Hawkins).**

66. With respect to claim 27, Goss discloses the server of claim 24, but fails to disclose a baseboard management controller.

67. However, Hawkins discloses wherein the at least one service processor comprises a baseboard management controller (paragraph [0015], lines 1-4). It would have been obvious to one skilled in the art at the time the invention was made to combine the teachings of Goss with the teachings of Hawkins. The motivation to do so being, to monitor the functionality of out of band management controllers (instant application: page 1, lines 21-24).

68. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 4152

i.	Rawson III	Patent No.	6,823,397
j.	Mahalingam	Patent No.	6,148,355
k.	Kosugi et al	Patent No.	7,080,282
l.	Rothman	Pub. No.	2004/0088531
m.	Cutler et al	Pub. No.	2004/0234534
n.	Berglund et al	Patent No.	6,247,176
o.	Abbondanzio et al	Patent No.	7,013,385
p.	Chou et al	Patent No.	7,043,569

69. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BLAKE RUBIN** whose telephone number is (571)270-3802. The examiner can normally be reached on M-R: 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJR  
1/08/07

/Nabil El-Hady/  
Supervisory Patent Examiner, Art Unit 4152